



**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 297**

January 24, 2006 - Offered by Representatives PARISI, BLACK, SHERIDAN, POCAN, SEIDEL, MOLEPSKE, HEBL, FIELDS, BERCEAU, POPE-ROBERTS, SCHNEIDER, VRUWINK, LEHMAN, TOLES, KREUSER, COLON, TRAVIS, ZEPNICK, GRIGSBY and KRUSICK.

1     **AN ACT** *to amend* 20.235 (1) (b), 20.235 (1) (fe), 20.235 (1) (ff), 20.235 (1) (km),  
2           20.505 (8) (hm) 10., 36.34 (1) (c) 2. b., 36.34 (1) (c) 2. bm., 39.435 (7) (b) 2. and  
3           39.435 (7) (b) 2m.; and *to create* 36.34 (1) (c) 2. ag., 36.34 (1) (c) 2. ar., 39.30 (5),  
4           39.435 (7) (a) 3., 39.435 (7) (a) 4., 39.435 (7) (a) 5., 39.435 (7) (a) 6., 39.435 (7)  
5           (b) 1g., 39.435 (7) (b) 1r., 39.435 (7) (c) and 39.435 (7) (d) of the statutes; **relating**  
6           **to:** the method by which the amounts to be appropriated for higher education  
7           grants, tuition grants, and Lawton minority undergraduate grants are  
8           calculated and making appropriations.

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***Analysis by the Legislative Reference Bureau***

Under current law, the Higher Educational Aids Board (HEAB) provides higher education grants to Wisconsin residents who are enrolled in the University of Wisconsin (UW) System, a technical college, or a tribal college and provides tuition grants to Wisconsin residents who are enrolled in accredited, nonprofit post-high school, educational institutions in this state. The Board of Regents of the UW System provides grants, known as Lawton grants, to minority undergraduates enrolled in the UW System.

Currently, sum certain amounts are appropriated in each fiscal year for tuition grants and for higher education grants for technical college and tribal college students. For higher education grants for UW System students, beginning in fiscal year 2007–08, there is appropriated a sum sufficient equal to the amount appropriated for those grants in the previous fiscal year (base amount) increased by the average percentage by which the undergraduate academic fees that will be charged for a student to attend an institution within the UW System for the next academic year will increase over the undergraduate academic fees for the current academic year, except that, if the undergraduate academic fees at each institution within the UW System for the next academic year are estimated not to increase from the current academic year, the appropriation for the current fiscal year remains the base amount. The same formula is also used to calculate the amount appropriated for Lawton grants.

This substitute amendment changes the formula used to calculate the amounts appropriated for higher education grants for UW System students and for Lawton grants. The substitute amendment also requires HEAB to use the new formula to calculate the amounts appropriated for tuition grants and for higher education grants for technical college and tribal college students. Specifically, under the bill, beginning in fiscal year 2007–08, the amounts appropriated for tuition grants, for Lawton grants, and for higher education grants for UW System students, technical college students, and tribal college students are determined by increasing the base amount for each of those appropriations by the greater of the average percentage increase determined under current law or the amount obtained by multiplying the increase in the undergraduate academic fees that will be charged for a student to attend UW–Madison for the next academic year over the current academic year by the number of students who received the respective grants for the current academic year, except that, if the undergraduate academic fees at each institution within the UW System are estimated not to increase from the current academic year, the appropriations for the current fiscal year remain the base amounts.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 20.235 (1) (b) of the statutes is amended to read:

2           20.235 (1) (b) *Tuition grants.* Biennially, the amounts in the schedule A sum  
3 sufficient equal to the amount calculated under s. 39.30 (5) for the purposes of s.  
4 39.30.

5           **SECTION 2.** 20.235 (1) (fe) of the statutes, as affected by 2005 Wisconsin Act 25,  
6 is amended to read:

1           20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin*  
2 *System students.* A sum sufficient equal to \$45,057,200 in the 2005-06 fiscal year,  
3 equal to \$39,280,600 in the 2006-07 fiscal year, and equal to the amount calculated  
4 under s. 39.435 (7) (b) for the Wisconsin higher education grant program under s.  
5 39.435 for University of Wisconsin System students, except for grants awarded  
6 under s. 39.435 (2) or (5), thereafter.

7           **SECTION 3.** 20.235 (1) (ff) of the statutes is amended to read:

8           20.235 (1) (ff) *Wisconsin higher education grants; technical college students.*  
9 ~~Biennially, the amounts in the schedule~~ A sum sufficient equal to the amount  
10 calculated under s. 39.435 (7) (c) for the Wisconsin higher education grant program  
11 under s. 39.435 for technical college students, except for grants awarded under s.  
12 39.435 (2) or (5).

13           **SECTION 4.** 20.235 (1) (km) of the statutes is amended to read:

14           20.235 (1) (km) *Wisconsin higher education grants; tribal college students.*  
15 ~~Biennially, the amounts in the schedule~~ A sum sufficient equal to the amount  
16 calculated under s. 39.435 (7) (d) for the Wisconsin higher education grant program  
17 under s. 39.435 for tribal college students, except for grants awarded under s. 39.435  
18 (2) or (5). All moneys transferred from the appropriation account under s. 20.505 (8)  
19 (hm) 10. shall be credited to this appropriation account. Notwithstanding s. 20.001  
20 (3) (b), the unencumbered balance on June 30 of each odd-numbered year shall  
21 revert to the appropriation account under s. 20.505 (8) (hm).

22           **SECTION 5.** 20.505 (8) (hm) 10. of the statutes is amended to read:

23           20.505 (8) (hm) 10. The amount transferred to s. 20.235 (1) (km) shall be the  
24 amount ~~in the schedule under s. 20.235 (1) (km)~~ calculated by the higher educational  
25 aids board under s. 39.435 (7) (d).

1           **SECTION 6.** 36.34 (1) (c) 2. ag. of the statutes is created to read:

2           36.34 (1) (c) 2. ag. The board shall determine the amount by which the  
3 undergraduate academic fees that will be charged for a student to attend the  
4 University of Wisconsin-Madison for the next academic year, as estimated by the  
5 board, will increase or decrease from the amount of the undergraduate academic fees  
6 charged for a student to attend that institution for the current academic year and  
7 multiply the amount of that increase by the number of students who received grants  
8 from the appropriation account under s. 20.285 (4) (dd) for the current academic year.

9           **SECTION 7.** 36.34 (1) (c) 2. ar. of the statutes is created to read:

10           36.34 (1) (c) 2. ar. The board shall determine the amount by which the  
11 undergraduate academic fees that will be charged for a student to attend the  
12 University of Wisconsin-Madison for the academic year after the next academic  
13 year, as estimated by the board, will increase or decrease from the amount of the  
14 undergraduate academic fees charged for a student to attend that institution for the  
15 next academic year and multiply the amount of that increase by the number of  
16 students who are estimated to receive grants from the appropriation account under  
17 s. 20.285 (4) (dd) for the next academic year.

18           **SECTION 8.** 36.34 (1) (c) 2. b. of the statutes, as affected by 2005 Wisconsin Act  
19 25, is amended to read:

20           36.34 (1) (c) 2. b. The appropriation for the first fiscal year of the next biennium  
21 shall be the result obtained by increasing, to the nearest \$100, the base amount by  
22 the average of the percentage increases determined under subd. ~~2a.~~ 2. a. or the  
23 amount determined under subd. 2. ag., whichever is greater, except that, if the  
24 undergraduate academic fees for the next academic year are estimated to decrease  
25 or not change from the undergraduate academic fees charged for the current

1 academic year at each institution specified in subd. ~~2a.~~ 2. a., the appropriation shall  
2 be the base amount.

3 **SECTION 9.** 36.34 (1) (c) 2. bm. of the statutes, as created by 2005 Wisconsin Act  
4 25, is amended to read:

5 36.34 (1) (c) 2. bm. The appropriation for the 2nd fiscal year of the next  
6 biennium shall be the result obtained by increasing, to the nearest \$100, the base  
7 amount by the average of the percentage increases determined under subd. ~~2am.~~ 2.  
8 am. or the amount determined under subd. 2. ar., whichever is greater, except that,  
9 if the undergraduate academic fees for the academic year after the next academic  
10 year are estimated to decrease or not change from the estimated undergraduate  
11 academic fees charged for the next academic year at each institution specified under  
12 subd. ~~2am.~~ 2. am., the appropriation shall be the base amount.

13 **SECTION 10.** 39.30 (5) of the statutes is created to read:

14 39.30 (5) APPROPRIATION CALCULATION. (a) In this subsection:

15 1. For purposes of calculating the amount to be appropriated under s. 20.235  
16 (1) (b) for fiscal year 2007-08, "base amount" means the amount shown in the  
17 schedule under s. 20.005 (3) for that appropriation for fiscal year 2006-07.

18 2. For purposes of calculating the amount to be appropriated under s. 20.235  
19 (1) (b) for each fiscal year after fiscal year 2007-08, "base amount" means the  
20 appropriation amount calculated under par. (b) for the previous fiscal year.

21 (b) Biennially, beginning on February 1, 2007, the board shall calculate the  
22 amount to be appropriated under s. 20.235 (1) (b) for the next biennium as follows:

23 1. The board shall determine the percentage by which the undergraduate  
24 academic fees that will be charged for the next academic year at each institution

1 within the University of Wisconsin System will increase or decrease from the  
2 undergraduate academic fees charged for the current academic year.

3 2. The board shall determine the amount by which the undergraduate  
4 academic fees that will be charged for a student to attend the University of  
5 Wisconsin-Madison for the next academic year, as estimated by the board, will  
6 increase or decrease from the amount of undergraduate academic fees charged for  
7 a student to attend that institution for the current academic year and multiply the  
8 amount of that increase by the number of students who received grants from the  
9 appropriation account under s. 20.235 (1) (b) for the current academic year.

10 3. The board shall determine the percentage by which the undergraduate  
11 academic fees that will be charged for the academic year after the next academic year  
12 at each institution within the University of Wisconsin System, as estimated by the  
13 board, will increase or decrease from the estimated undergraduate fees that will be  
14 charged for the next academic year.

15 4. The board shall determine the amount by which the undergraduate  
16 academic fees that will be charged for a student to attend the University of  
17 Wisconsin-Madison for the academic year after the next academic year, as estimated  
18 by the board, will increase or decrease from the amount of the undergraduate  
19 academic fees charged for a student to attend that institution for the next academic  
20 year and multiply the amount of that increase by the number of students who are  
21 estimated to receive grants from the appropriation account under s. 20.235 (1) (b) for  
22 the next academic year.

23 5. The appropriation for the first fiscal year of the next biennium shall be the  
24 result obtained by increasing, to the nearest \$100, the base amount by the average  
25 of the percentage increases determined under subd. 1. or the amount determined

1 under subd. 2., whichever is greater, except that, if the undergraduate academic fees  
2 for the next academic year are estimated to decrease or not change from the  
3 undergraduate academic fees charged for the current academic year at each  
4 institution specified in subd. 1., the appropriation shall be the base amount.

5 6. The appropriation for the 2nd fiscal year of the next biennium shall be the  
6 result obtained by increasing, to the nearest \$100, the base amount by the average  
7 of the percentage increases determined under subd. 3. or the amount determined  
8 under subd. 4., whichever is greater, except that, if the undergraduate academic fees  
9 for the next academic year are estimated to decrease or not change from the  
10 undergraduate academic fees charged for the current academic year at each  
11 institution specified in subd. 3., the appropriation shall be the base amount.

12 **SECTION 11.** 39.435 (7) (a) 3. of the statutes is created to read:

13 39.435 (7) (a) 3. For purposes of calculating the amount to be appropriated  
14 under s. 20.235 (1) (ff) for fiscal year 2007-08, "base amount" means the amount  
15 shown in the schedule under s. 20.005 for that appropriation for fiscal year 2006-07.

16 **SECTION 12.** 39.435 (7) (a) 4. of the statutes is created to read:

17 39.435 (7) (a) 4. For purposes of calculating the amount to be appropriated  
18 under s. 20.235 (1) (ff) for each fiscal year after fiscal year 2007-08, "base amount"  
19 means the appropriation amount calculated under par. (c) for the previous fiscal  
20 year.

21 **SECTION 13.** 39.435 (7) (a) 5. of the statutes is created to read:

22 39.435 (7) (a) 5. For purposes of calculating the amount to be appropriated  
23 under s. 20.235 (1) (km) for fiscal year 2007-08, "base amount" means the amount  
24 shown in the schedule under s. 20.005 for that appropriation for fiscal year 2006-07.

25 **SECTION 14.** 39.435 (7) (a) 6. of the statutes is created to read:

1           39.435 (7) (a) 6. For purposes of calculating the amount to be appropriated  
2 under s. 20.235 (1) (km) for each fiscal year after fiscal year 2007–08, “base amount”  
3 means the appropriation amount calculated under par. (d) for the previous fiscal  
4 year.

5           **SECTION 15.** 39.435 (7) (b) 1g. of the statutes is created to read:

6           39.435 (7) (b) 1g. The board shall determine the amount by which the  
7 undergraduate academic fees that will be charged for a student to attend the  
8 University of Wisconsin–Madison for the next academic year, as estimated by the  
9 board, will increase or decrease from the amount of the undergraduate academic fees  
10 charged for a student to attend that institution for the current academic year and  
11 multiply the amount of that increase by the number of students who received grants  
12 from the appropriation account under s. 20.235 (1) (fe) for the current academic year.

13           **SECTION 16.** 39.435 (7) (b) 1r. of the statutes is created to read:

14           39.435 (7) (b) 1r. The board shall determine the amount by which the  
15 undergraduate academic fees that will be charged for a student to attend the  
16 University of Wisconsin–Madison for the academic year after the next academic  
17 year, as estimated by the board, will increase or decrease from the amount of the  
18 undergraduate academic fees estimated to be charged for a student to attend that  
19 institution for the next academic year and multiply the amount of that increase by  
20 the number of students who are estimated to receive grants from the appropriation  
21 account under s. 20.235 (1) (fe) for the next academic year.

22           **SECTION 17.** 39.435 (7) (b) 2. of the statutes, as affected by 2005 Wisconsin Act  
23 25, is amended to read:

24           39.435 (7) (b) 2. The appropriation for the first fiscal year of the next biennium  
25 shall be the result obtained by increasing, to the nearest \$100, the base amount by



1 the average of the percentage increases determined under subd. 1. or the amount  
2 determined under subd. 1g., whichever is greater, except that, if the undergraduate  
3 academic fees for the next academic year are estimated to decrease or not change  
4 from the undergraduate academic fees charged for the current academic year at each  
5 institution specified in subd. 1., the appropriation shall be the base amount.

6 **SECTION 18.** 39.435 (7) (b) 2m. of the statutes, as created by 2005 Wisconsin Act  
7 25, is amended to read:

8 39.435 (7) (b) 2m. The appropriation for the 2nd fiscal year of the next biennium  
9 shall be the result obtained by increasing, to the nearest \$100, the base amount by  
10 the average of the percentage increases determined under subd. 1m. or the amount  
11 determined under subd. 1r., whichever is greater, except that, if the undergraduate  
12 academic fees for the academic year after the next academic year are estimated to  
13 decrease or not change from the estimated undergraduate academic fees charged for  
14 the next academic year at each institution specified in subd. 1m., the appropriation  
15 shall be the base amount.

16 **SECTION 19.** 39.435 (7) (c) of the statutes is created to read:

17 39.435 (7) (c) Biennially, beginning on February 1, the board shall calculate the  
18 amount to be appropriated under s. 20.235 (1) (ff) for the next biennium as follows:

19 1. The board shall determine the percentage by which the undergraduate  
20 academic fees that will be charged for the next academic year at each institution  
21 within the University of Wisconsin System will increase or decrease from the  
22 undergraduate academic fees charged for the current academic year.

23 2. The board shall determine the amount by which the undergraduate  
24 academic fees that will be charged for a student to attend the University of  
25 Wisconsin-Madison for the next academic year, as estimated by the board, will

1 increase or decrease from the amount of undergraduate academic fees charged for  
2 a student to attend that institution for the current academic year and multiply the  
3 amount of that increase by the number of students who received grants from the  
4 appropriation account under s. 20.235 (1) (ff) for the current academic year.

5 3. The board shall determine the percentage by which the undergraduate  
6 academic fees that will be charged for the academic year after the next academic year  
7 at each institution within the University of Wisconsin System, as estimated by the  
8 board, will increase or decrease from the estimated undergraduate fees that will be  
9 charged for the next academic year.

10 4. The board shall determine the amount by which the undergraduate  
11 academic fees that will be charged for a student to attend the University of  
12 Wisconsin–Madison for the academic year after the next academic year, as estimated  
13 by the board, will increase or decrease from the amount of the undergraduate  
14 academic fees charged for a student to attend that institution for the next academic  
15 year and multiply the amount of that increase by the number of students who are  
16 estimated to receive grants from the appropriation account under s. 20.235 (1) (ff) for  
17 the next academic year.

18 5. The appropriation for the first fiscal year of the next biennium shall be the  
19 result obtained by increasing, to the nearest \$100, the base amount by the average  
20 of the percentage increases determined under subd. 1. or the amount determined  
21 under subd. 2., whichever is greater, except that, if the undergraduate academic fees  
22 for the next academic year are estimated to decrease or not change from the  
23 undergraduate academic fees charged for the current academic year at each  
24 institution specified in subd. 1., the appropriation shall be the base amount.

1           6. The appropriation for the 2nd fiscal year of the next biennium shall be the  
2 result obtained by increasing, to the nearest \$100, the base amount by the average  
3 of the percentage increases determined under subd. 3. or the amount determined  
4 under subd. 4., whichever is greater, except that, if the undergraduate academic fees  
5 for the next academic year are estimated to decrease or not change from the  
6 undergraduate academic fees charged for the current academic year at each  
7 institution specified in subd. 3., the appropriation shall be the base amount.

8           **SECTION 20.** 39.435 (7) (d) of the statutes is created to read:

9           39.435 (7) (d) Biennially, beginning on February 1, 2007, the board shall  
10 calculate the amount to be appropriated under s. 20.235 (1) (km) for the next  
11 biennium as follows:

12           1. The board shall determine the percentage by which the undergraduate  
13 academic fees that will be charged for the next academic year at each institution  
14 within the University of Wisconsin System will increase or decrease from the  
15 undergraduate academic fees charged for the current academic year.

16           2. The board shall determine the amount by which the undergraduate  
17 academic fees that will be charged for a student to attend the University of  
18 Wisconsin-Madison for the next academic year, as estimated by the board, will  
19 increase or decrease from the amount of undergraduate academic fees charged for  
20 a student to attend that institution for the current academic year and multiply the  
21 amount of that increase by the number of students who received grants from the  
22 appropriation account under s. 20.235 (1) (km) for the current academic year.

23           3. The board shall determine the percentage by which the undergraduate  
24 academic fees that will be charged for the academic year after the next academic year  
25 at each institution within the University of Wisconsin System, as estimated by the

1 board, will increase or decrease from the estimated undergraduate fees that will be  
2 charged for the next academic year.

3 4. The board shall determine the amount by which the undergraduate  
4 academic fees that will be charged for a student to attend the University of  
5 Wisconsin–Madison for the academic year after the next academic year, as estimated  
6 by the board, will increase or decrease from the amount of the undergraduate  
7 academic fees charged for a student to attend that institution for the next academic  
8 year and multiply the amount of that increase by the number of students who are  
9 estimated to receive grants from the appropriation account under s. 20.235 (1) (km)  
10 for the next academic year.

11 5. The appropriation for the first fiscal year of the next biennium shall be the  
12 result obtained by increasing, to the nearest \$100, the base amount by the average  
13 of the percentage increases determined under subd. 1. or the amount determined  
14 under subd. 2., whichever is greater, except that, if the undergraduate academic fees  
15 for the next academic year are estimated to decrease or not change from the  
16 undergraduate academic fees charged for the current academic year at each  
17 institution specified in subd. 1., the appropriation shall be the base amount.

18 6. The appropriation for the 2nd fiscal year of the next biennium shall be the  
19 result obtained by increasing, to the nearest \$100, the base amount by the average  
20 of the percentage increases determined under subd. 3. or the amount determined  
21 under subd. 4., whichever is greater, except that, if the undergraduate academic fees  
22 for the next academic year are estimated to decrease or not change from the  
23 undergraduate academic fees charged for the current academic year at each  
24 institution specified in subd. 3., the appropriation shall be the base amount.

